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Information /Action

Legislative Committee of the Whole

Legislative Concepts for Commission Consideration

Executive Summary: Staff will present legislative concepts for the 2006 legislative year for Commission consideration.

Possible Action: The Commission may modify the legislative concepts, direct staff to pursue authors for legislation based on the concepts, or direct staff to take no further action.

Presenter: Bonnie Parks, Director, Office of Governmental Relations

Strategic Plan Goal: 4

Continue effective and appropriate involvement of the Commission with policymaker's on key education issues.

- ♦ Influence legislation regarding the preparation and certification of professional educators.

LEGISLATIVE GUIDELINES OF THE CALIFORNIA COMMISSION ON TEACHER CREDENTIALING

Adopted February 3, 1995

1. The Commission supports legislation that proposes to maintain or establish high standards for the preparation of public school teachers and other educators in California and opposes legislation that would lower standards for teachers and other educators.
2. The Commission supports legislation that proposes to maintain or establish high standards of fitness and conduct for public school educators in California and opposes legislation that would lower standards of fitness or conduct for public school educators.
3. The Commission supports legislation that reaffirms that teachers and other educators have appropriate qualifications and experience for their positions, as evidenced by holding appropriate credentials, and opposes legislation that would allow unprepared persons to serve in the public schools.
4. The Commission supports the maintenance of a thoughtful, cohesive approach to the preparation of credential candidates and opposes legislation that would tend to fragment or undermine the cohesiveness of the preparation of credential candidates.
5. The Commission supports legislation that strengthens or reaffirms initiatives and reforms that it previously has adopted and opposes legislation that would undermine initiatives or reforms that it previously has adopted.
6. The Commission supports alternatives to existing credential requirements that maintain high standards for the preparation of educators and opposes alternatives that do not provide sufficient assurances of quality.
7. The Commission opposes legislation that would give it significant additional duties and responsibilities if the legislation does not include an appropriate source of funding to support those additional duties and responsibilities.
8. The Commission supports legislation that affirms its role as an autonomous teacher standards board and opposes legislation that would erode the independence or authority of the Commission.

Legislative Proposal #1

Authorization for Retired Teachers to Serve on the Committee of Credentials

Purpose of Proposed Legislation

To authorize teachers retired not more than five years to serve on the Committee of Credentials.

Background

Education Code Section 44240 establishes the Committee of Credentials charged with the responsibility of reviewing allegations of misconduct against a credential holder or applicant and making a recommendation to the Commission as to whether probable cause exists for adverse action against a credential or application.

The Committee is comprised of seven members appointed by the Commission for two-year terms. Membership includes an elementary teacher, a secondary teacher, one school board member, a school administrator, and three public representatives.

The Committee of Credentials meets three days each month in Sacramento. The Division of Professional Practices and the Committee investigated and reviewed approximately 12,000 cases in 2003-04.

Issue

Increased demands on teachers have served as a deterrent to the recruitment of working educators to the Committee of Credentials; particularly classroom teachers, who may not be able to spend three or more days away from their students.

Current law requires that Committee members be “full-time certificated classroom teachers” [Education Code Section 44240(a)]. Commissioner Elaine Johnson, Chair of the Commission’s Professional Practices Committee, recommended a change in the law to allow recently retired teachers to serve on the Committee as a way of increasing the pool of prospective Committee members.

Possible negative/positive effects on other operations within the agency

Positive effects within the agency would be an increase in prospective Committee member applicants. A perceived negative would be the loss of present classroom experience; however, the limitation to retired teachers within the last five years would address this issue.

Cost analysis

There would be no increase in costs to the agency.

Results of administrative avenues, if any, attempted to resolve the problem

This proposal requires a statutory change.

Does the proposal assist in the implementation of a major strategic initiative of the CCTC, or further the agency's mission?

This proposal supports Commission Strategic Goal 1, which promotes education excellence through the preparation and certification of professional educators and furthers the agency's mission by supporting the statutory mandate that the Commission monitor fitness-related conduct and impose credential discipline.

**CALIFORNIA CODES
EDUCATION CODE
SECTION 44240**

44240. The commission shall appoint a Committee of Credentials, consisting of seven persons for terms fixed by the commission but not to exceed two years. The committee shall include:

(a) One member who holds certification to teach ~~shall be a full-time certified classroom teacher~~ in the public elementary schools who has not less ~~with not less~~ than five years' classroom experience and who (1) is currently a full-time certificated classroom teacher in the public elementary schools, or (2) has served as a full-time certificated classroom teacher in the public elementary schools within five years of the date of appointment and has retired from employment with a school district.

(b) One member who shall be a full-time ~~certificatied~~ classroom teacher in the public secondary schools with not less than five years' classroom experience, who (1) is currently a full-time certificated teacher in the public secondary schools or (2) has served as a full-time certificated classroom teacher in the public secondary schools within five years of the date of appointment and has retired from employment with a school district.

(c) One member who shall be a ~~certificatied~~ administrative employee in the public schools.

(d) One member who shall be a member of the governing board of any school district. No person who is or has been employed in a certificated position in the public schools within the preceding five years shall be appointed as a school board member.

(e) Three members who shall be representatives of the public. No person who is or has been employed in a certificated position in the public schools or who is or has been a member of any governing board of a school district or county board of education within the five years next preceding date of appointment shall be appointed as a public member.

The additional public members of the committee provided for in this section as amended during the 1977-78 Regular Session, shall be appointed by the commission as vacancies in the committee occur, consistent with the requirements of professional representation.

Appointments to the Committee of Credentials shall reflect, to the extent feasible, the ethnic and cultural diversity of California public schools.

Legislative Proposal #2

Technical Amendments Related to the California School Paraprofessional Teacher Training Program

Purpose of Proposed Legislation

The purpose of the proposed legislation is to clarify specified aspects of the law governing the California School Paraprofessional Teacher Training Program in part discussed by members of the Commission at its October 6th, 2005 meeting and in response to issues identified in the 2004 Bureau of State Audits report.

Specifically addressed through the proposed amendments are the following points:

1. The need for candidate selection criteria to be provided by the school district or county office of education to better ensure candidate success in earning a teaching credential.
2. The need for clarification regarding fluctuating teacher supply needs and credential program preferences currently outlined in the law.
3. The need for clarification regarding repayment of financial assistance including an appeal process based on illness or family care needs and a section to address recent developments such as the federal No Child Left Behind Act (NCLB) requirement that all multiple subject credential candidates pass a subject matter exam.
4. The need for clarification regarding responsibility for repayments to the State General Fund.
5. The need for funding for an external evaluation of the program to be contracted by the Commission as specified under current law as noted in the 2004 Bureau of State Audits report.

Background

Sections 44390-44393 of the California Education Code establish the California School Paraprofessional Teacher Training Program to help meet teacher supply needs by bringing talented, experienced classroom teacher's aids into the teaching profession through a program of financial and instructional support. The Commission serves as the budgetary and administrative agent for this program disbursing grant funds to applying school districts and county offices of education.

Issue

The California School Paraprofessional Teacher Training Program has proven to be successful in preparing and retaining teachers, most of whom live and work in communities with a high need for teachers. However, current law is unclear regarding several aspects of the administration of the program as noted above.

Possible negative/positive effects on other operations within the agency

Positive effects in addition to clarifying responsibilities regarding loan repayment would be to clarify the need for selection criteria to ensure a candidate's success in the program. Further positive effects would be the initiation of an appeals process and alternative service options for loan forgiveness. There could be some negative perception regarding alternative routes to loan forgiveness for individuals who are unable to meet teaching credential requirements.

Cost analysis

Staffing and public hearing costs for the development and adoption of Title 5 Regulations based upon the legislative changes would result if this proposed legislation becomes law.

Results of administrative avenues, if any, attempted to resolve the problem

The legislative proposal is necessary to ensure that regulations will not exceed the Commission's authority in law.

Does the proposal assist in the implementation of a major strategic initiative of the CCTC, or further the agency's mission?

This proposal supports Commission Strategic Goal 1, which promotes education excellence through the preparation and certification of professional educators. At its October 6th, 2005 meeting, the Commission discussed the California School Paraprofessional Teacher Training Program and some members expressed the need for legislation to clarify loan repayment issues.

The California School Paraprofessional Teacher Training Program

Amend California Education Code Sections 44390-44393 as follows:

44392. For the purposes of this article, unless the context clearly requires otherwise, the following terms shall have the following meanings:

(a) "Institutions of higher education" means the California Community Colleges, the California State University, the University of California, and private institutions of higher education that offer an accredited teacher training program.

(b) "Program" means the California School Paraprofessional Teacher Training Program established pursuant to Section 44393.

(c) "Teaching paraprofessional" means the following job classifications: educational aide, special education aide, special education assistant, teacher associate, teacher assistant, teacher aide, pupil service aide, library aide, child development aide, child development assistant, and physical education aide.

(d) "Teacher training program" means any undergraduate or graduate program of instruction conducted by a campus of an institution of higher education that includes a developmentally sequenced career ladder to provide instruction, coursework, and clearly defined tasks for each level of the ladder, and that is designed to qualify students enrolled in the program for a teaching credential authorizing instruction in kindergarten and grades 1 to 12, inclusive.

(e) "Applicant" means a school district or county office of education applying for program funds for the California School Paraprofessional Teacher Training Program.

44393. (a) The California School Paraprofessional Teacher Training Program is hereby established for the purpose of recruiting paraprofessionals to participate in a program designed to encourage them to enroll in teacher training programs and to provide instructional service as teachers in the public schools.

(b) The Commission on Teacher Credentialing, in consultation with the Chancellor of the California Community Colleges, the Chancellor of the California State University, the President of the University of California, the chancellors of private institutions of higher education that offer accredited teacher training programs, and representatives of certificated and classified employee organizations, shall select 24 or more school districts or county offices of education representing rural, urban, and suburban areas that apply to participate in the program. The commission shall ensure that, at a minimum, a total of 600 school paraprofessionals are recruited from among the 24 or more participating school districts or county offices of education. The criteria adopted by the commission for the selection of school districts or county offices of education to participate in the program shall include all of the following:

(1) The extent to which the applicant ~~school district or county office of education~~ demonstrates the capacity and willingness to accommodate the participation of school paraprofessionals ~~of the school~~ in teacher training programs conducted at institutions of higher education.

(2) The extent to which the applicant's plan for the implementation of its recruitment program involves the active participation of one or more local campuses of the participating institutions of higher education in the development of coursework and teaching programs for participating school paraprofessionals. Each selected ~~applicant school district or county office of education~~ shall be required to enter into a written articulation agreement with the participating campuses of the

institutions of higher education.

(3) The extent to which the applicant's plan for recruitment attempts to meet the demand for bilingual-cross cultural teachers.

(4) The extent to which the applicant's plan for recruitment attempts to meet the demand for multiple subject credentialed teachers interested in teaching kindergarten or any of grades 1 to 3, inclusive. For purposes of this paragraph, each paraprofessional selected to participate shall have completed at least two years of undergraduate college or university coursework and shall have demonstrated an interest in obtaining a multiple subject teaching credential for teaching kindergarten or any of grades 1 to 3, inclusive.

(5) The extent to which the applicant's plan for recruitment attempts to meet the demand for special education teachers.

(6) The extent to which the applicant's plan for recruitment attempts to meet its specific teacher needs.

~~(6)~~ (7) The extent to which the applicant's plan for recruitment includes candidate selection criteria based in part on demonstrated classroom performance and success in professional development activities provided by the applicant.

~~(7) The extent to which the applicant's plan for recruitment attempts to meet its own specific teacher needs.~~

(8) The extent to which a developmentally sequenced series of job descriptions leads from an entry-level school paraprofessional position to an entry-level teaching position in that school district or county office of education.

~~(8)-(9)~~ The extent to which the applicant's plan for implementation of its recruitment program involves participation in a district internship program pursuant to Sections 44325, 44326, 44327, 44328, and 44830.3 or a university internship program pursuant to Article 3 (commencing with Section 44450) of Chapter 3.

(c) Each selected applicant ~~school district or county office of education~~ shall provide information and assistance to each school paraprofessional it recruits under the program regarding admission to a teacher training program.

(d) ~~(1) The applicant school district or county office of education~~ shall recruit and organize groups, or "cohorts," of school paraprofessionals, of no more than 30, and no less than 10, in each cohort. Cohorts shall be organized to consist of school paraprofessionals having approximately equal academic experience and qualifications, as determined by the school district or county office of education. To the extent possible, the members of each cohort shall proceed through the same subject matter and credential programs. The members of each cohort shall enroll in the same campus and shall be provided ~~by the school district or county office of education with~~ appropriate support and information throughout the course of their studies by the applicant.

(2) Each applicant ~~school district or county office of education~~ shall certify that it has received a commitment from each member of a cohort that he or she will accomplish all of the following:

(A) Obtain a certificate of clearance from the Commission pursuant to Sections 44339, 44340 and 44341 before enrollment.

(B) ~~(A)~~ Graduate from an institution of higher education under the program with a bachelor's degree.

(C) ~~(B)~~ Complete all of the requirements for and obtain a multiple subject, single subject, or education specialist teaching credential.

(D) ~~(C)~~ Complete one school year of classroom instruction in the district or county office of education for each year that he or she receives assistance for books, fees, and tuition while attending

an institution of higher education under the program.

(3) To the extent that any participant does not fulfill his or her obligations, as set forth in paragraph (2), the participant shall be required to repay the assistance to the school district or county office of education program sponsor. If a participant is laid off, the participant shall may not be required to repay the assistance until the participant is offered reemployment and has an opportunity to fulfill his or her obligations under this section. A candidate may appeal the repayment conditions to the school district or county office of education for good cause that includes but is not limited to, situations beyond a candidate's control such as illness or family care needs.

(4) A school district or county office of education may determine that service to the school district or county office of education in a capacity other than as a multiple subject, single subject or special education classroom teacher may suffice in accordance with the provisions of subsection (D) of this section for a candidate who demonstrates to the school district or the county office of education that a good-faith effort has been made to complete the teacher preparation program, and yet the candidate has been unable to meet specified credentialing requirements.

(5) Repayments collected by school districts and county offices of education shall revert to the State General Fund on an annual basis.

(e) Contingent upon funding in the 2006-2007 Budget Act, tThe commission shall contract with an independent evaluator with a proven record of experience in assessing career-advancement programs or teacher training programs to determine the success of the recruitment programs established pursuant to subdivision (b). The evaluation shall ~~be made on an annual basis and shall~~ include, but not be limited to, all of the following:

(1) The total cost per person participating in the program who successfully obtains a teaching credential, based upon all state, local, federal, and other sources of funding.

(2) The economic status of persons participating in the pilot program.

(3) A description of financial and other resources made available to each recruitment program by participating school districts or county offices of education, institutions of higher education, and other participating organizations.

(4) The extent to which pupil performance on standardized achievement tests has improved in classes taught by teachers who have successfully completed the program, in comparison to classes taught by other teachers who have equivalent teaching experience.

(5) The extent to which pupil dropout rates and other measures of delinquency have improved in classes taught by teachers who have successfully completed the program.

(6) The extent to which teachers who have successfully completed the program remain in the communities in which they reside and in which they teach.

(7) The attrition rate of teachers who have successfully completed the program.

(f) Each selected school district or county office of education shall report to the commission regarding the progress of each cohort of school paraprofessionals, and other information regarding its recruitment program as the commission may direct.

(g) No later than January 1 of each year, the commission shall report to the Legislature regarding the status of the ~~pilot~~ program, including, but not limited to, the number of school paraprofessionals recruited, the academic progress of the school paraprofessionals recruited, the number of school paraprofessionals recruited who are subsequently employed as teachers in the public schools, the degree to which the program meets the demand for bilingual and special education teachers as well as meeting teacher needs in shortage areas as determined by the school district or county office of education, the degree to which the program or similar programs can meet that demand if properly funded and executed, and other effects upon the operation of the public schools.

(h) It is the intent of the Legislature that each fiscal year, funding for the California School

Paraprofessional Teacher Training Program be allocated to the Commission on Teacher Credentialing for grants to school districts pursuant to this section. In no case shall grants to any school district exceed the equivalent of three thousand dollars (\$3,000) annually per paraprofessional in the program. Funding for grants to school districts pursuant to this subdivision, shall be contingent upon an appropriation in the annual Budget Act.